

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Number : 10/593,779 Confirmation No.: 4040  
 Applicant : Petra ALLEF, *et al.*  
 I.A. Filing Date : March 21, 2005  
 Title : METHOD AND TEST-KIT FOR THE DETECTION AND QUANTIFICATION OF ORGANISMS  
 TC/Art Unit : 1645  
 Examiner: Unassigned  
 Docket No. : 58763.000032  
 Customer No. : 21967

**MAIL STOP MISSING PARTS**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Sir:

Responsive to the attached Notification of Missing Requirements Under 35 U.S.C. §371 in the United States Designated/Elected Office (DO/EO/US) ("Notice") mailed May 15, 2007, Applicants submit herewith an executed Declaration and Power of Attorney for Patent Application, along with a copy of the Notice as required.

The Commissioner is hereby authorized to charge the total fees due of \$640.00 to the deposit account of Hunton & Williams, Deposit Account Number 50-0206 as follows:

- \$65.00 for the small entity surcharge as set forth in 37 C.F.R. 1.492(h); and
- \$575.00 for additional claims fees (small entity).

| Claims Remaining After the Preliminary Amendment Filed on September 22, 2006. | Highest Number Paid For Previously | Extra     | Fee          |              | Amount          |
|---|------------------------------------|-----------|--------------|--------------|-----------------|
|   |                                    |           | Large Entity | Small Entity |                 |
| <b>Number of Claims Total = 35</b>  | <b>20</b>                          | <b>15</b> | \$ 50.00     | \$ 25.00     | <b>\$375.00</b> |
| <b>Number of Independent Claims = 5</b>                                       | <b>3</b>                           | <b>2</b>  | \$ 200.00    | \$ 100.00    | <b>\$200.00</b> |
| First Presentation of Multiple Dependent Claims                               |                                    |           | \$ 360.00    | \$ 180.00    | 0.00            |
| <b>TOTAL ADDITIONAL CLAIMS FEES DUE</b>                                       |                                    |           |              |              | <b>\$575.00</b> |

Applicants note that small entity status is claimed with the submission of the Statement filed herewith. A Supplemental Application Data Sheet reflecting this change is also filed concurrently herewith.

In the event any variance exists between the payment authorized and the fees as determined the U.S. Patent Office, please charge or credit any such variance to Deposit Account No. 05-0206.

Respectfully submitted,

Date: May 29, 2007

By:



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05/31/2007 LLANDGRA 0000007 500206 10593779

01 FC:2617 65.00 DA  
02 FC:2615 375.00 DA  
03 FC:2614 200.00 DA



## UNITED STATES PATENT AND TRADEMARK OFFICE

*RMS-DMB*

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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|                               |                       |                  |
|-------------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO.   | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/593,779                    | Petra Allef           | 58763.000032     |
| INTERNATIONAL APPLICATION NO. |                       |                  |
| PCT/EP05/02975                |                       |                  |
| I.A. FILING DATE              |                       | PRIORITY DATE    |
| 03/21/2005                    |                       | 03/22/2004       |
| CONFIRMATION NO. 4040         |                       |                  |
| 371 FORMALITIES LETTER        |                       |                  |
| <br>*OC000000023861368*       |                       |                  |

Date Mailed: 05/15/2007

MAY 16 2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/22/2006
- Copy of the International Search Report filed on 09/22/2006
- Copy of IPE Report filed on 09/22/2006
- Copy of Annexes to the IPER filed on 09/22/2006
- Preliminary Amendments filed on 09/22/2006
- Oath or Declaration filed on 09/22/2006
- U.S. Basic National Fees filed on 09/22/2006
- Priority Documents filed on 09/22/2006
- Specification filed on 09/22/2006
- Claims filed on 09/22/2006
- Abstracts filed on 09/22/2006

*58763,32*

|             |            |
|-------------|------------|
| DOCKETED    | S-16-07    |
| ACTION CODE | M155N4 REQ |
| DUE DATE    | 7-15-07    |
| BASE DATE   | 5-15-07    |
| DEADLINE    | 12-15-07   |
| ATTORNEYS   | RMS-DMB    |
| INITIALS    | JK         |

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$1150 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$1280** for a Large Entity:

- **\$130** Surcharge.
- Total additional claim fee(s) for this application is **\$ 1150**
  - **\$400** for 2 independent claims over 3.
  - **\$750** for 15 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VONDA M WALLACE

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Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/593,779                  | PCT/EP05/02975                | 58763.000032     |

FORM PCT/DO/EO/905 (371 Formalities Notice)